

G. R. S. IX-5]

Previous references.

1917

(L B)

Later references.

VP 64-31-1, 2

L. B. 46-32 (1)

Present
for
47/57

File No. 83-17

Serial Nos. 18, 25-42

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 18, 25 + 42

Part B for May 19

SUBJECT.

Water Supply to Rorai Gold Fields.

From the Chief Engineer of Mysore.

N. E. M. 10973 of. 13-9-18.

For, among other things, a set of detailed rules framed by the Committee for the proper arrangement for preventing pollution of water by the people residing in the villages comprising the Special Sanitary Area.

To the Chief Eng^r of Mysore

W D 1250-GPB-30,000 28-1-19

N. E. 15384 of. 28-5-19

Returns the draft bye laws with certain observations and requests him to frame, if necessary, a Sanitary

M. K. Hareend 27/9/19. Set of rules to regulate the inspection of the villages in question.

GENERAL AND REVENUE SECRETARIAT.

(LB)

NOTES.

File No. 83-17

FILE HEADING

H. G. 7. water supply

From

Mr. San. Comm. in Mysore

No. S. C. 12-7 Dated 12-7-18

Received.

Diary No. }

Enclos. , Spare Copies. }

Serial No. 18

BRIEF ABSTRACT OF LETTER.

Submits a copy of draft rules relating to the periodical inspection of the Bethanayya water work.

NOTES AND ORDERS.

2 7 A copy of the above letter and also a copy of the draft rules have been put up.

2 Rule 8 of these rules provides for the periodical inspection of the Sanitation

Serial
No.

of the Special area comprising the 21 villages on the Palae river, and the inspection is to be regulated by the Detailed Rules framed by the Committee. The latter rules are now to be taken up for consideration.

25. From the Chief Engineer of Mysore
No. M. 10973 & 13-9-18

Forwards, among other things; a set of Detailed Rules framed by the Committee for the proper arrangement for preventing pollution of water by the people residing in the villages comprising the Special Sanitary area.

3 He states that though the rules appear drastic yet in the interest of the pure water supply to the Kolar gold field, they may be adopted.

6 Para 52 of the notes in the main file p. 32:-

"52. The other rules framed by the Committee for preventing pollution of water in the river by the villagers

Serial
No.

appear to be rather drastic and require careful scrutiny. These will be examined and submitted again for orders."

Id. B. T. K.

9.10.18.

5 Extract from the statement showing the stages at which the several questions relating to the K. G. 7. water supply stand

3(c)

Detailed Rules for preventing pollution of water in the river by the villagers.

"These require scrutiny and legal opinion appears to be necessary."

Id. B. T. K.

May be obtained
Id. A. R. B.

Encl.

L. B. M. M.

6.3.19. Forwarded with compliments to the Govt advocate for favour of opinion

By order

M. K. S. S. S.

For Review

6/3/19

U.O. 10294

27.3.19

Serial
No.

H. O. No 83 of 18-17

61523

Rev Secy
2 MAR 1919HNS
13-2

7) I have prepared a separate
note on the rules proposed which
is sent herewith.

Shanbhappa

Govt. Advocate
11/2/1919

8) With reference to the last para
of the notes of the Govt. Advocate
~~the proposed rule~~ need referen-
is invited to Sectn. 34 of the Mysore
Mines Regn. (Regn. IV of 1906), wherein
the power to frame rules is reserved
to Govt.

9) The Sany. Board have power to
prescribe byelaws with previous sanction
of Govt. for the Spl. Sanitation of the
area under its authority. [Vide Sectn.
35 of the same Regn.] But the Special
Sany. Area in question comprising
the 21 villages in the Palan is not under
the authority of the Sany. Bd.

Subd.

10) This question is intimately
connected with that of extending the
Mines Regn. to these villages so that
the area might be regarded as San^{ty} Bd area

Serial
No.

for purposes of framing rules and bylaws.
Unless this is done the authority under which
these rules are framed being wanting, the
powers reserved therein cannot be exercised.

11 It would be a matter of doubtful policy
to bring these villages under the main Regn. and
include them under the San² B³ area. The S² B³
is not in favour of such a course.

12 When such is the case, the remarks of the
Govt. advocate in the first para of his note
~~appears to~~ appear to have much force.

13 A copy of the Village Sanitation Regulations
and another of the rules thereunder ~~are~~ placed
in the file. Kind reference is invited to sections
3 of the Regn. and sections III & IV of the rules.
These rules appear to meet the requirements of
the present case while they have the additional
advantage of not obstructing the jurisdiction
of the S² B³ over these villages. They do not
needlessly interfere with the liberty of the
people in these villages.

14 Now a special establishment has been
sanctioned for the sanitation looking after
these villages and the cost of this establ^t is
to be met out of the funds of the water supply
Dept^t. It should be the duty of this spl.
establishment to see that sanitation is

Serial
No.

properly attended to in the villages and bring to notice any infringement of the rules under the Vill. San. Regn. Beyond this nothing further appears to be necessary.

15. Elaborate rules regarding combating epidemics have recently been issued by Govt. and there is absolutely no need to include them again in these rules.

16. Considered as a whole, the rules now submitted seem not only to be drastic but unnecessary and unworkable.

17. Of course there can be no objection to the periodical inspection of these villages by the officers of the San. B^d or by the Spl. Comm^{ee} members, the results of these inspections being sent to the Presdt of the S^t B^d for necessary action. The Specimen Establt. should be under the control of the Presdt S^t B^d so that he may get the necessary improvement works carried out.

18. If the above ~~proposed~~ suggestions are approved suitable draft rules ~~be sent~~ to the S^t Comm^{ee} & the Chief Eng^r, to be subd.

MX
4.4.19

Temp^y members)

19. These rules proposed by Govt.

3989
S. C. 4.4.19

Serial
No.Yes - Please
see flag G.

Sanitary Commission members of
the Joint? ~~It~~ Even if they have a
sufficient time that the Commission appointed
these members has no power to frame the
rules, or rather lay down what it has
done. What is laid down in the
is that the Sanitary Commission will
frame rules for inspection by the
Commission. The rules should be given
in the manner of inspection, what
power the Commission has to do to,
the time a schedule of meetings
the place & place to be visited. The
Joint Committee is right in saying
that inspection is hard on these
rules are ultra vires and require
legislative sanction so far as they
refer to the rules & perhaps
the right.

20 The village rules were constituted
under separate Sanitary Commission
& separate Statutory Commission
sanctioned for the same. At present
these rules are the same in these
villages. This I think for the present
is sufficient.

21 As regards the location of

Serial
No.

and with respect, there is no necessity any
more a Sanitary Inspector is appointed
for this area.

22 The rules regarding the prevention of the
spread of epidemic diseases have been recently
promulgated. These are quite sufficient
for this purpose—

23 A draft order in this subject is being
made put up & the same has been
made order to frame rules in accordance
with the provisions of paragraph 5 of this
order for the guidance of the concerned
authorities.

24/4/19

MM
25/4

24 Draft Subd

25/4/19

25 This requires no special submission
to Member. Please give this to
me at H.O. quarters

MM
30/4

Recd 29/4/19

26 Submitted the file in person and obtained
instructions as regards the dft. to be
put up.

MM
10/5/19

27 Draft put up as instructed by the Asst Secy.
Subd. H.M. 28 dft. badly done, though clearly
instructed. Please put up today
again dft as revised

14/5/19

WD A 1789-GPB-60,000-20-3-15-3.

MM
17.5.19

1898

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General and Revenue
Secretariat.

LB

File No. 83

of 1917.

Serial
No.

Fair draft put up.

only
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17/5/19.MX
19.5.194781
19.5.19

Third Member) appis

Wki
21/5
DoneMX
21/542. To the Chief Engineer of Mysore.
No. 15384 & 28-5-19Returns the draft byelaws
with certain observations and
requests him to frame, if necessary,
a simpler set of rules to meet
the inspection of the village
question.

Note on the detailed Rules framed in pursuance of -
para 8 of the Rules for periodical inspection of the --
Bethamangala Water Supply.

-----:0:-----

(1) (a) These Rules purport to have been framed as -
required in para 8 of the Rules for the periodical in-
spection of the Bethamangala Water Supply. But Rule 8 -
only says "The periodical inspection will be regulat-
ed by the Rules framed by the Committee etc.,". I fail to
understand how that rule gives powers to the Committee to
frame rules which do not purport to regulate the periodical
inspection of those villages but affect the liberty of the
subjects residing within the sanitary area with respect (no

doubt) to their sanitary requirements, *and the rules in question*
with the exception of rule 122, did not refer to inspection at all.

(b) Clause 6 may be omitted as it is not a rule but
is in the nature of a suggestion.

(2) Under rule 3 a minimum of 2 wells is provided -
for all ~~the~~ villages and it is said that the number is to be
regulated by the population. *Who* are to determine the number
of wells and on what basis? It is better to indicate this
in the rules.

(3) Rule 5 appears to lead to very great hardship.

Before

Before such a provision is enforced, arrangements should be made for providing an adequate supply of water for the village cattle at some convenient place near the grazing ground or kaval. The vague provision for a trough within village limits does not appear to meet the requirements at all.

(4) In rule 6 the expression "Near the river" appears to be very vague. It would be better to fix a minimum distance as in Rule 8 clause (g).

(5) I do not understand why the rearing of pigs is objected to. The clause should either state the nature of the penalty or should simply say "The rearing of pigs in the special sanitary area is prohibited"

(6) (1) In Rule 8 clause (a) & (b) no time limit has been fixed and the word "immediate" is very difficult of definition.

(2) In clause (b) the word "Private" before the words "Medical Practitioner" may be dropped, as otherwise a Government Medical Official cannot be dealt with under the Rules.

(3) In clause (c) the Patel, Jodidar or his Agent is expected to hold an enquiry and then to report the re-

sult.

3.

result of such enquiry to the Sanitary Officer.

If immediate information is not sent by the Patel - etc., to the Sanitary Officer, the very object of clause (a) will be frustrated. Further, as no period is fixed for the enquiry, the postponment of a report till after the enquiry is completed is sure to cause inordinate delay in getting timely reports. So it is better to provide for an immediate report being sent by the Patel etc.. who may also be empowered to institute enquiries etc., simultaneously.

(4) Regarding sub clause (d) it would be necessary to provide good Segregation Camps suiting the positions in life of all the inhabitants of the place, before the rules are brought into force.

(5) The object of rule 8 clause (e) is not apparent. Such a prohibition in respect of infected outsiders coming from outside to places within such limits, or persons going from one place to another within the limits, would perhaps stand to reason.

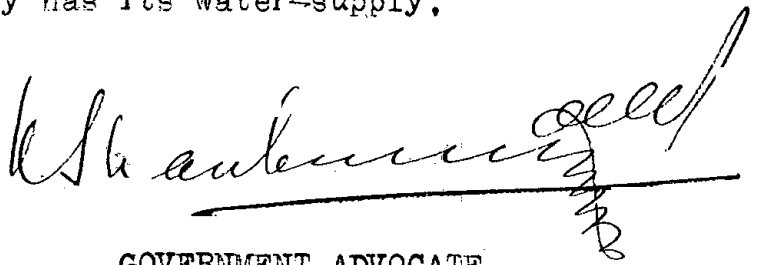
I have raised these questions and offered these observations tentatively. I should like to have the provi-

sion

4.

provision of law which has reserved to the Board the power
to frame the rules and I should also like to know whether
such rules are in force in any other area within the State
such as e.g. in villages which are situated round about the
tank from which the Bangalore City has its water-supply.

P.W.D

A handwritten signature in cursive script, appearing to read 'K. S. Anantharamaiah', written over a horizontal line. There are some additional scribbles and a small mark below the line.

GOVERNMENT ADVOCATE.

Rules for the periodical inspection of Bethamangala

Water Supply

Received from Mr. Sanitary Comm. with his letter
----- no. G.C. 12-7 & 12-7-1918

1. The following officers will constitute the committee for the periodical inspection of the Bethamangala Water Supply.

- (a) The Executive Engineer, Water Supply -- Division.
- (b) The Health Officer, Kolar Gold Fields, and
- (c) The District Sanitary Officer, Kolar District.

2. The Committee should inspect the Bethamangala Water Works not less than once every three months, the date of visit being --- previously intimated to the Superintendent of the Water Works or any other authority concerned.

3. The condition of sanitation in the Villages on the Palar --- River constituted into a special area for purposes of safe-guarding the purity of the water supply may also be inspected by the Committee as a part of the prescribed periodical inspections.

4. The Committee should examine the records of the Jewell --- Filters to see whether the results of bacteriological examination have been uniformly satisfactory, and in case the periodical analysis, chemical as well as bacteriological, reveal shortcomings in the standard of purity should endeavour to trace what the causes are that contribute thereto.

5. The alum should be examined to see if it is of the approved quality and is added in correct quantities.

6. The following items should also be noticed by the Committee.

- (a) regulation of the rate of filtration and
- (b) leakages, if any, in the main and service pipes -

which should be determined by actual testing.

7. A report embodying the results of inspection should be --- forwarded to the President of the Sanitary Board, Kolar Gold Fields within 10 days of the inspection, a copy being at the same time --- sent to the Chief Engineer and to the Sanitary Commissioner.

8. The periodical inspection of the sanitation of the special villages on the Palar river will be regulated by the rules framed

framed by the Committee and approved by the President, Sanitary --
Board, Kolar Gold Fields and Deputy Commissioner, Kolar District --
and the Sanitary Commissioner.

(Sd) M. Srinivasa Rao.

Sanitary Commissioner.

" C O P Y "

2 Secretary to Government,
Revenue Department.

42

L.B 83-17-25

Letter No.-M. 10973 dated Bangalore 13th September 1918
from the Chief Engineer of Mysore to the Secretary to Government
of Revenue Department.

(D.4388--^{L.B.}83-17-25)

[5. The Rules framed by the Sanitary Commissioner for periodi
cal^{inspections} by the Committee appear suitable and may be adopted.]

3. Detailed rules for the proper arrangement for preventing
pollution of water by the people residing in the villages between
Bethamangala and Holale on either side of the River have been
framed. The villages that are to be formed into a Sanitary
area are enumerated in the Statement accompanying.

Though the rules appear drastic, yet in the interest of
pure water supply to the Fields, they may be adopted.

X X X X X X

E X T R A C T .

for Secretary to Government
Revenue Department



For Draft

To

The Chief Engineer of Mysore

S i r,

With reference to your letter No. ¹⁰⁹⁷³~~1073~~ dated the 13th September 1918 submitting for sanction a set of draft rules for preventing the pollution of water in the River by the people residing in certain villages on the Palar, I am directed to state that para 8^x of the rules sanctioned in G.O. No. 12321-4 dated the 26th March '18^{only} provides for rules being framed by the Committee to regulate the periodical inspection of the sanitation of the special villages on the Palar, and ~~it~~^{as} cannot -- authorise the framing of rules of the nature now submitted for sanction of Government. These rules go beyond the powers of the Committee and besides being ultra vires require legislative sanction, which under the circumstances of the case does not appear to be necessary.

2. As regards treating these villages as a special sanitary area, there is no objection to their being treated as such for purposes of sanitation only, while -- their general control should always vest in the District Board. I am to point out in this connection that when the wells sanctioned by Government have all been constructed and a proper system of supervision is arranged for, by utilising the services of the special sanitary staff sanctioned for

this

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this area, sufficient protection can be ensured against the pollution of the water in the river by the people of these villages.

3. As regards the posting of a Sub Assistant Surgeon to the area in question, I am to state that Government think it unnecessary, since a Sanitary Inspector and a small staff to work under him have been sanctioned in G. O. No. 15023-27 ^{LB} 83-12 ⁸ 22-5-19.

will be ensured after
issue of G.O.

4. The rules for combating epidemics proposed in the draft rules now submitted appear also to be unnecessary in view of the elaborate rules recently issued by Government in their Order No. 31371/San. 101 17-13 dated the 25th March 1919 which - - provide for all cases.

W

5. In view of these circumstances, I am directed to return the draft bye-laws framed in the matter and to request you to be so good as to frame, if ^{necessary} any, a simpler set of rules to regulate only the inspection of the villages in question.

[Handwritten signature]

I have the honor to be,
tr

MC
19.5.19
Secretary to Government
Revenue Department.

✓

1.15383
87281579
17/5

Copy to the Dy. Commr. Kolar District.